[*English*] 85

Posting of High Court Judges from other States

2376. SHRI N. DENNIS : Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state :

(a) whether the Government propose to post one third of the judges of the High Courts from outside the States over which the courts have jurisdiction;

(b) if so, the steps taken in this regard so far; and

(c) if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS AND THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI RANGARAJAN KUMARAMANGALAM) : (a) to (c) The Government have accepted as a policy recommendations of the Law Commission, in its 80th Report, that there should be a convention according to which 1/3rd of Judges in each High Court should be from any other State. The Government decided that this may be implemented either by making initial appointments from outside or by effecting transfers. A beginning in this direction has been made by adopting the policy of having Chief Justices of High Courts from outside. Few initial appointments of puisne Judges from outside have also been made and transfers of some Judges from one High Court to another have also been made after adopting the policy.

85

Criteria to Grant Public Company Status to Private Company

2377. KUMARI UMA BHARTI : Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state :

(a) the criteria laid down by the Government to accord status of public company to a private company;

(b) the names of companies accorded the status of public company during the last three years; and

(c) the safeguards adopted to ensure that public company status is accorded only to those companies which fulfil the criteria laid down in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS AND THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE & COMPANY AFFAIRS (SHRI RANGARAJAN KUMARAMANGALAM) : (a) Articles of Association determine the status of a company. A company may be registered as a private company if its Articles of Association include provisions under Section 3(1)(iii) of the Companies Act, 1956. These provisions are not required to be included in case of a public company. A private company becomes a public company in certain circumstances, specified in Sections 43, 43A and 44 of the Act and, thereafter, it ceases to be entitled to the privileges and exemptions conferred on private companies under the Companies Act.

(b) The number of private companies which have become public companies under Sections 43, 43A and 44 of the Companies Act is being compiled and will be laid on the table of the House.

(c) The procedural requirements laid down in the Act provide adequate safeguards for conversion from private to public company.

[*Translation*] 86

Repair of National Highway No. 31

2378. SHRI RAM SHARAN YADAV : Will the Minister of SURFACE TRANSPORT be pleased to state :

(a) whether the National Highway No. 31 passing through Khageria has been damaged by floods at several places;

(b) if so, the action taken by the Government for the repair of the highway and the time by which the repair work would be completed; and

(c) if no action has been taken, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF SURFACE TRANSPORT (SHRI JAGDISH TYTLER) : (a) As reported by the State Public Works Department, this section was damaged by floods during the last years. However, no report of any damages has been received so far in the current year.

(b) and (c) During the last three years (1988-89 to 1990-91), improvement works costing Rs. 339 lakhs and flood damage repair works costing Rs. 103 lakhs were sanctioned for the portion of this National Highway in Khagaria Division (Km. 218 to Km. 331) apart from normal maintenance activities. Most of the flood damage repair works have been completed.

Opening of a branch of Nationalised Bank in Fatehganjpurvi in Bareilly District (U.P.)

2379. SHRI RAJVEER SINGH : Will the Minister of FINANCE be pleased to state :

(a) whether the Government have received any requests for opening a branch of a nationalised bank in Fatehganjpurvi district, Bareilly, U.P. ;

(b) if so, whether it is proposed to open a branch in that area;

(c) if so, when the said branch is likely to be opened; and

(d) if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI DALBIR SINGH) : (a) It is reported by the Reserve Bank of India that no such request appears to have been received by them.

(b) to (d) Do not arise.

Seizure of smuggled goods on Coastal Areas of Gujarat

2380. SHRI DILEEP BHAI SANGHANI : Will the Minister of FINANCE be pleased to state :

(a) the number of smugglers caught in the coastal areas of Gujarat during the last six months and the smuggled goods recovered from them; and

(b) the steps taken by the Union Government to check smuggling in the aforesaid areas?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI RAMESHWAR THAKUR) : (a) The Customs authorities have seized contraband worth Rs. 6·22 crores approximately and arrested 11 persons in the Coastal areas of the State of Gujarat during the period from January to June, 1991.

(b) The anti-smuggling drive has been intensified and the anti-smuggling machinery throughout the country especially in the vulnerable areas of the coastline has been geared up. Close co-ordination is being maintained between all the agencies concerned in the detection and prevention of smuggling. The Customs officers have been equipped with vessels, vehicles, firearms, night vision binoculars, etc. for combating smuggling activities more effectively. A Telecommunication network has also been provided to the Customs Preventive Collectorate, Gujarat.

[English]

State Transport authority permits to transporters belonging to SCs/STs

2381. SHRI KALKA DASS : Will the Minister of SURFACE TRANSPORT be pleased to state :

(a) the number of transporters having STA permits issued by the Directorate of Transport, Delhi Administration;

(b) the number of Scheduled Castes and Scheduled Tribes among them;

(c) whether some more STA permits are proposed to be issued to the persons belonging to Scheduled Castes and Scheduled Tribes; and

(d) if so, the details in this regard ?

THE MINISTER OF STATE IN THE MINISTRY OF SURFACE TRANSPORT (SHRI JAGDISH TYTLER) : (a) Delhi Administration have informed that 306 Stage Carriage Permits on city routes have been issued by the State Transport Authority, Delhi.